UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,619	10/24/2003	Matthew Izzo	10030598	7194

7590   10/05/2007

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EXAMINER
FORD, GRANT M

ART UNIT	PAPER NUMBER
2141	

MAIL DATE	DELIVERY MODE
10/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/691,619	IZZO, MATTHEW
	Examiner	Art Unit	
	Grant Ford	2141	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 October 2003</u>.

2a)☐ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date *4-6-2005*.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-16 and 22-37 are rejected under 35 U.S.C. 102(b) as being anticipated

by Yemini et al. (WO 95/32411).

        a.   As per claims 1 and 22, Yemini discloses a method for automatically

analyzing network events, comprising:

            generating a matrix that illustrates relationships between a plurality of

network events and a focal event from the plurality of network events or that illustrates

relationships between a plurality of network objects and a focal object from the plurality

of network objects (Page 15 paragraph 6 through Page 16 paragraph 3); and

            automatically analyzing the matrix by evaluating at least one event vector

(Page 16 Paragraphs 2-3).

        b.   As per claims 2 and 23, Yemini discloses wherein the matrix is based in

part on a resource topology or an event topology (Page 15 paragraph 6 through Page

16 paragraph 1).

c.   As per claims 3 and 24, Yemini discloses wherein the matrix illustrates connectivity relationships among the plurality of network objects (Page 15 paragraph 6 through Page 16 paragraph 1, Figure 6).

d.   As per claims 4 and 25, Yemini discloses wherein the matrix illustrates dependency relationships among the plurality of network objects (Page 14 paragraph 2).

e.   As per claims 5 and 26, Yemini discloses wherein the matrix illustrates time relationships between the plurality of network events and the focal event (Page 14 paragraph 2).

f.   .   As per claims 6 and 27, Yemini discloses wherein the matrix illustrates a relative distance among the plurality of network events or the plurality of network objects (Page 14 paragraph 2).

g.   As per claims 7 and 28, Yemini discloses filtering the plurality of network events before generating the matrix (Page 41 paragraph 4).

h.   . As per claims 8 and 29, Yemini discloses applying event-specific or object-specific rules or policies to a result of the analysis of the matrix (Page 19 paragraphs 1-2).

i.   As per claims 9 and 30, Yemini discloses wherein the matrix is populated with identifiers of the plurality of network objects or identifiers of the plurality of network events (Page 19 paragraphs 1-2).

j.   As per claims 10 and 31, Yemini discloses wherein the at least one event

vector is a set of network events from the plurality of network events along a path of

related network objects from the plurality of network objects (Page 16 paragraph 2).

k.   As per claims 11 and 32, Yemini discloses wherein the automatic

analyzing comprises a sympathetic event reduction, which comprises:

identifying at least one related event from the plurality of network events;

correlating the at least one related event to the focal event and hiding at least one

redundant sympathetic event from the plurality of network events (Page 13 paragraph 1,

Page 28 paragraph 4 through Page 29 paragraph 1).

l.   As per claims 12 and 33, Yemini discloses wherein the automatic

analyzing comprises a dependency analysis, which comprises locating common

dependencies among the plurality of network objects (Page 28 paragraph 4 through

Page 29 paragraph 1).

m.   As per claims 13 and 34, Yemini discloses wherein the automatic

analyzing comprises an impact analysis, which comprises determining which of the

plurality of network objects are affected by the focal event (Page 28 - see table).

n.   As per claims 14 and 35, Yemini discloses wherein the automatic

analyzing comprises a predictive analysis, which comprises determining which of the

plurality of network objects would be affected by a hypothetical focal event (Page 15

paragraph 6 though Page 16 paragraph 3).

o.   As per claims 15 and 36, Yemini discloses wherein the automatic

analyzing comprises a root cause analysis, which comprises identifying and prioritizing

at least one suspected root event from the plurality of network events as a potential root

cause of the focal event (Page 21 paragraph 4 through Page 22 paragraph 2).

  p. As per claims 16 and 37, Yemini discloses wherein the identifying and

prioritizing the at least one suspected root event comprises:

    identifying at least one leaf-node event from the plurality of network events

(Page 14 paragraph 2, Page 22 paragraph 2);

    ranking the at least one leaf-node event according to ranking factors

(Figures 2F-2G and 5A, Page 14 paragraph 2, Page 22 paragraph 2); and

    suppressing each of the plurality of network events that are in the at least

one event vector and that are not the focal event or the at least one leaf-note event,

wherein the ranking factors comprise the angle of the at least one event vector, a time

dispersion along the at least one event vector, and a consistency of event types along

the at least one event vector (Page 20 Paragraph 3, Page 21 Paragraph 5 through

Page 22 Paragraph 2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 17-21 and 38-42 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Yemini in view of Chambliss et al. (US 2004/0103181), hereinafter

referred to as Chambliss.

a.   As per claims 17 and 38, Yemini discloses displaying the focal event, at

least one other event of the plurality of network events, and the relationships between

the focal event and the at least one other event on a user interface (Page 21 paragraph

5 through Page 22 paragraph 2). However, Yemini fails to explicitly teach the use of

network even t icons in a plurality of colors.

Chambliss teach wherein each of the displayed plurality of network events

is displayed as one of a plurality of network event icons in one of a plurality of colors to

indicate event severity and various other methods of displaying network event icons to

gain an operator's attention (Paragraph 0095). The Examiner notes the use of a "clock-

like arc" is merely a design choice with regard to displaying network event icons, which

function to relay information to an operator. It would have been obvious to one having

ordinary skill in the art at the time the invention was made to incorporate the use of

displaying network event icons to an operator with the matrix-based network

management information system of Yemini. One of ordinary skill in the art would have

been motivated to do so for the purpose of displaying information of a measured entity

while attracting the attention of an operator (Paragraph 0095).

b.   As per claims 18 and 39, Yemini additionally discloses wherein the

displaying is static or dynamic (Page 21 paragraph 5 through Page 22 paragraph 2).

The Examiner notes that the displaying is inherently either static or dynamic by definition.

    c.   As per claims 19 and 40, Yemini discloses wherein only the focal event and at least one leaf-node event from the plurality of network events are displayed (Fig. 2D-2E).

    d.   As per claims 20 and 41, Yemini discloses wherein the relationships are illustrated with a plurality of lines connecting at least two of the displayed plurality of network events (Fig. 2D-2E).

    e.   As per claims 21 and 42, Yemini discloses wherein the plurality of lines vary in thickness and composition to illustrate rank (Fig. 2D-2E, Page 21 paragraph 4- through Page 22 paragraph 6).
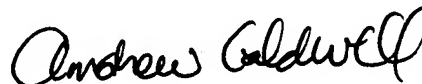
Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grant Ford whose telephone number is (571)272-8630. The examiner can normally be reached on 8-5:30 Mon-Thurs alternating Fridays.

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gmf

**ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER**